

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE POLYESTER STAPLE)	
ANTITRUST LITIGATION)	MDL DOCKET NO: 3:03CV1516
_____)	ALL CASES

This Order relates to:

3:04CV506 (Coats)____
3:03CV281 (Gulistan / Hampton)
3:03CV296 (Avondale)
3:06CV387 (Burlington)
3:06CV390 (Parkdale)

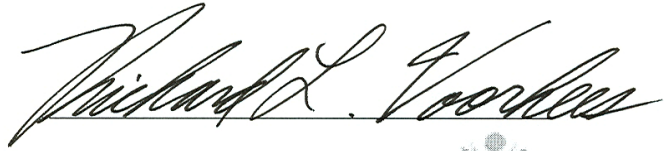
THIS MATTER comes before the Court on various motions for summary judgment filed on behalf of the Hoechst Celanese Defendants,¹ including Grover Smith.² (3:04CV506 Document #25; 3:06CV387 Documents ##22, 32; 3:06CV390 Documents ##21, 25; and 3:03CV1516 Documents ##574, 598, 599)

IT IS HEREBY ORDERED that Defendants' motions for summary judgment are **DENIED** with respect to all issues. The parties should continue to prepare for trial, scheduled to commence June 2, 2008, accordingly. The Court's written Memorandum and Order will follow in due course.

¹ The Hoechst Celanese Defendant group includes CNA Holdings, Inc.(f/k/a Hoechst Celanese Corporation and HNA Holdings, Inc.), Celanese Americas Corp. (f/k/a Hoechst Corporation), Hoechst GmbH sued herein as Hoechst Aktiengesellschaft, Celanese Aktiengesellschaft, and Grover Smith.

² Defendants initially brought certain of these issues via motion jointly under Federal Rule of Civil Procedure 12(c) and Rule 12(b)(6). However, the Court converted all of the defense motions to summary judgment motions in order to rule upon a more complete record. FED. R. CIV. P. 12(b); Dean v. Pilgrim's Pride Corp., 395 F.3d 471, 474 (4th Cir. 2005).

Signed: April 8, 2008

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath the text.

Richard L. Voorhees
United States District Judge

